IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 12907 of 2005

Between:

A. Nagabhushanam S/o. A. Narayanappa
R/o. Khazanagar, Anantapur, Anantapur District.

..... PETITIONER

AND

1 The Depot Manager, A.P.S.R.T.C. Puttaparthy Depot, Anantapur District.
2 The Regional Manager, A.P.S.R.T.C. Anantapur District. Anantapur.
3 The Vice -Chairman Cum Managing Director, A.P.S.R.T.C. Musheerabad, R.T.C. X Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or orders more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in not to provide a suitable alternative post to the petitioner as illegal, arbitrary, unjustified contrary to the section 47 of the Persons with disabilities (Equal opportunities of protection of rights and full participation) Act 1995 and consequently direct the respondents to consider the case of the petitioner and provide suitable alternative employment in terms of section 47 of the persons with disabilities (Equal opportunities protection of rights and full participation) Act 1995.

Counsel for the Petitioner: MR.A.RAMA RAO

Counsel for the Respondents: MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not providing a suitable alternative post to the petitioner as arbitrary and illegal.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents and perused the material on record.

The facts are not disputed before this Court. An appropriate decision has to be taken by the respondents in accordance with the provisions of Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

Therefore, the writ petition is disposed of with a direction to the respondents to take appropriate decision in accordance with the provisions of Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, within a period of four weeks from the date of receipt of a copy of this order. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

17th June, 2005

bcj

To

1 The Depot Manager, A.P.S.R.T.C. Puttaparthy Depot, Anantapur District.
2 The Regional Manager, A.P.S.R.T.C. Anantapur District. Anantapur.
3 The Vice -Chairman Cum Managing Director, A.P.S.R.T.C. Musheerabad, R.T.C. X Road, Hyderabad.

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